

Message Text

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ORIGIN L-02

INFO OCT-01 AF-06 NEA-09 IO-10 ISO-00 PM-03 ACDA-05 NSC-05

SS-15 SSO-00 NSCE-00 USIE-00 INRE-00 ERDA-05 ARA-06

CIAE-00 DODE-00 EA-06 EUR-12 H-02 INR-07 NASA-01

NSAE-00 OIC-02 SP-02 PA-01 PRS-01 OES-03 SAJ-01 /105 R

DRAFTED BY L/UNA:MJMATHESON:EB

APPROVED BY L:SMSCHWEBEL

PM - MR. OPLINGER

NEA - MR. CLUVERIUS

AF - MR. EATON

IO - MR. KIMBALL

ACDA/NWT - MR. DAVIES

ACDA/IR - MR. FLOYD

NSC - MR. ELLIOTT;MR. HADLEY

C - MR. KELLY S/S:JPMOFFAT

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O R 022223Z MAY 75

FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO AMCONSUL CAPE TOWN

USMISSION USUN NEW YORK

AMEMBASSY PRETORIA

AMEMBASSY TEL AVIV

USMISSION IAEA VIENNA

C O N F I D E N T I A L STATE 103269

E.O. 11652: GDS

TAGS: PARM

SUBJECT: NPT REV CON: PARTICIPATION OF ISRAEL AND SOUTH
AFRICA

REF: VIENNA 3694

GENEVA FOR VAN DOREN

CAPE TOWN FOR EMBASSY

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1. REFTTEL REPORTS THAT SOUTH AFRICA WILL SEEK OBSERVER STATUS AT NPT REVIEW CONFERENCE, AND WE UNDERSTAND FROM VAN DOREN-KLEIN TELECON OF MAY 1 THAT ISRAEL MAY SEEK SIMILAR STATUS. AS YOU KNOW, RULE 44 OF DRAFT CONFERENCE RULES OF PROCEDURE PROVIDES THAT ANY STATE WHICH HAS RIGHT TO BECOME PARTY TO NPT, BUT WHICH HAS NEITHER SIGNED NOR RATIFIED, "MAY APPLY TO THE SECRETARY-GENERAL OF THE CONFERENCE FOR OBSERVER STATUS, WHICH WILL BE ACCORDED ON THE DECISION OF THE CONFERENCE."

2. NEITHER ISRAEL NOR SOUTH AFRICA HAVE SIGNED OR RATIFIED NPT. HOWEVER, BOTH CLEARLY HAVE RIGHT TO BECOME NPT PARTIES UNDER ARTICLE IX OF NPT, WHICH PERMITS ACCESSION AT ANY TIME BY "ANY STATE WHICH DOES NOT SIGN THE TREATY BEFORE ITS ENTRY INTO FORCE".

3. IF ISRAEL AND SOUTH AFRICA SEEK TO PARTICIPATE AS OBSERVERS, USDEL SHOULD STRONGLY SUPPORT THEIR PARTICIPATION, ARGUING THAT: (1) CONFERENCE RULES CLEARLY MAKE

THEM ELIGIBLE TO PARTICIPATE AS OBSERVERS; (2) THEIR PARTICIPATION MAY BE IMPORTANT TO SUCCESS OF NON-PROLIFERATION OBJECTIVES IN VIEW OF THEIR GROWING TECHNOLOGICAL AND NUCLEAR-RELATED CAPABILITIES; AND (3) THEIR EXCLUSION WOULD SET UNFORTUNATE PRECEDENT FOR UNIVERSAL PARTICIPATION IN NPT AND FOR EFFECTIVENESS OF INTERNATIONAL CONFERENCES IN GENERAL. USDEL SHOULD SUPPORT CONSENSUS DECISION IN BOTH CASES TO GRANT OBSERVER STATUS OR, IF VOTE BECOMES NECESSARY, SHOULD VOTE IN FAVOR AND STRONGLY URGE OTHERS TO DO SO.

4. USDEL MAY ALSO, IN ITS DISCRETION, WISH TO ARGUE PRIVATELY, PARTICULARLY TO NONALIGNED AND SOVIET BLOC, THAT IT IS IN THE SPECIAL INTEREST OF STATES THAT MAY BE CRITICAL OF SOUTH AFRICA AND ISRAEL THAT BOTH ATTEND NPT CONFERENCE, AND THAT THEIR EXCLUSION COULD GIVE THEM FURTHER EXCUSE NOT TO ACCEDE, WHICH SHOULD BE THE LAST THING THEIR CRITICS DESIRE.

5. USDEL MAY FIND IT USEFUL, AS PROCEDURAL MATTER, TO
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ENCOURAGE CONFERENCE DECISION GRANTING OBSERVER STATUS TO ALL STATES ELIGIBLE TO BECOME NPT PARTIES AND WHICH APPLY FOR SUCH STATUS DURING COURSE OF CONFERENCE, WITHOUT SPECIFICALLY NAMING ANY STATES. ALTERNATIVELY, SINGLE CONFERENCE RESOLUTION INCLUDING ALL APPLICANTS FOR OBSERVER STATUS WOULD BE PREFERABLE TO SEPARATE RESOLUTIONS FOR EACH APPLICANT, SINCE THIS WOULD PLACE BURDEN ON THOSE DESIRING TO EXCLUDE PARTICULAR STATES. WE SUGGEST USDEL

IMMEDIATELY EXPLORE THESE POSSIBILITIES WITH CONFERENCE
OFFICIALS AND, IF APPROPRIATE, THOSE DELS SUCH AS THE
SWEDES OR SOVIETS WHICH HAVE STRONG INTEREST IN SUCCESS
OF CONFERENCE AND MAY BE WILLING TO ACT AS INTERMEDIARIES
IN REACHING SOLUTION. KISSINGER

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